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Counsel for Defendants

13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 **TRIBUO PARTNERS LLC**

Case No. 3:22-cv-02930-TLT

17 *Plaintiff,*

18 **vs.**

19 **WILSON SONSINI GOODRICH &**
20 **ROSATI, P.C. and JOSEPH MATTHEW**
LYONS,

STIPULATION AND [PROPOSED]
ORDER FOR AMENDING FIRST
AMENDED COMPLAINT AND
ANSWERING SECOND AMENDED
COMPLAINT
(FIRST REQUEST)

21 *Defendants.*

22 The parties, by and through their counsel, stipulate and agree:

23 1. Plaintiff Tribuo Partners LLC (“Tribuo”)’s Unopposed Motion for Leave to File
24 Second Amended Complaint (Dkt. No. 13) is hereby withdrawn.

1 2. Tribuo has the written consent of Defendants Wilson Sonsini Goodrich & Rosati,
2 P.C. (“Wilson Sonsini”) and Joseph Matthew Lyons (“Lyons”) to file its Second Amended
3 Complaint, attached hereto as Exhibit A.¹ *See* FED. R. CIV. P. 15(a)(2).

4 3. The parties agree that Defendants will file their answer(s) to the operative
5 complaint on or before September 16, 2022.

6 4. Tribuo has already dismissed its claim under California’s Unfair Competition Law
7 (the “UCL”) against Lyons without prejudice. (Dkt. No. 10).

8 5. The parties stipulate to the dismissal of Tribuo’s UCL claim against Wilson Sonsini
9 without prejudice.

10 6. Any applicable statute of limitations available to Lyons relating to any claims has
11 been tolled as of June 16, 2022.

12 7. Nothing in this stipulation shall affect any defense available to any party as of the
13 date of its execution, and this stipulation shall not be deemed to revive any claim that is or was
14 already barred on that date. Nothing in this stipulation, or in the circumstances that gave rise to it,
15 shall be construed as an acknowledgement by any party that any claim has or has not been barred,
16 or is about to be barred, by the statute of limitations, laches, or any other defense based on the
17 lapse of time.

18 8. This stipulation shall be governed by California law.

19 **IT IS SO STIPULATED.**

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¹ This version of the Second Amended Complaint differs from the one attached to Tribuo’s Unopposed Motion for
Leave to File Second Amended Complaint (Dkt. No. 13)

1 Dated: September 2, 2022

SBAITI & COMPANY PLLC

3 */s/ Mazin A. Sbaiti*
4 Mazin A. Sbaiti

5 Attorney for Plaintiff TRIBUO PARTNERS LLC

6 Dated: September 2, 2022

7 DUANE MORRIS LLP

8 */s/ Allison Lane (with permission)*
9 Allison Lane

10 Justin J. Fields

11 Attorneys for Defendants WILSON SONSINI
12 GOODRICH & ROSATI, P.C. and JOSEPH
13 MATTHEW LYONS

14 **ORDER**

15 Pursuant to the parties' stipulation, and good cause appearing, it is **ORDERED**:

16 1. Plaintiff may file the Second Amended Complaint.

17 2. Defendants shall respond to the Second Amended Complaint on or before

18 September 16, 2022.

19 Hon. Trina Thompson
20 UNITED STATES DISTRICT JUDGE

21 DATED: September , 2022